

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
AT JACKSON

HUNTER HOLLINGSWORTH
PLAINTIFF

VS.

C.A. _____

TENNESSEE WILDLIFE RESOURCES AGENCY,
KEVIN HOOFMAN,
UNITED STATES FISH AND WILDLIFE SERVICE,
KYLE LOCKE,
DEFENDANTS

COMPLAINT

1. This action is brought pursuant to Tennessee Code Annotated 39-14-405, Tennessee Code Annotated 39-14-406, Tennessee Constitution Article 1 Section §7, United States Constitution Amendment 4, 42USC§1983, and the common law of Tennessee.

2. The Plaintiff is a resident citizen of Benton County, residing at 800 Beaverdam Road, Camden, Tennessee.

3. The Defendant Tennessee Wildlife Resources Agency is a governmental agency for the State of Tennessee, maintaining its headquarters at the Ellington Agricultural Center in Nashville, and service of process may be had upon its director.

4. Defendant Kevin Hoofman may be served at the West Tennessee Regional Office at 200 Lowell Thomas Drive, Jackson, Tennessee.

5. Defendant United States Fish and Wildlife Service may be served on Greg Sheehan, Acting Director, at U.S. Fish & Wildlife Service, 1849 C Street NW, Washington DC.

6. Defendant Kyle Locke may be served at the US Fish and Wildlife Service Region 4 office at 1875 Century Boulevard NE, Atlanta, Georgia 30345.

7. The Plaintiff owns property in Benton County, which is used for farming and hunting,

as recorded in Deed Book 295, Page 610.

8. On or about November 20, 2017, Defendants Locke and Hoofman, acting in the capacity as employees of the Tennessee Wildlife Resources Agency and United States Fish and Wildlife, as well as individually, under color of law, did trespass on Plaintiff's property to install a camera for surveillance purposes.

9. Said camera was installed on a tree in the interior of the property to record the comings and goings of the Plaintiff.

10. Plaintiff's property is posted and to gain access to said property, Defendants had to cross two (2) other landowners' property by way of Plaintiff's easement.

11. Defendants had no probable cause to install surveillance equipment, and in addition, did not have a warrant to do same.

12. Plaintiff discovered said camera on or about January 26, 2018.

13. Said camera had no markings, was obviously not his, and so took same down for inquiry and safe keeping.

14. Upon examination, the SD card revealed a photograph of Kyle Locke, also a vehicle and a photograph believed to be Kevin Hoofman.

15. The camera and SD card was retrieved by way of search warrant by agents of the Tennessee Wildlife Resources Agency and US Fish & Wildlife Service, there was no accompanying Affidavit for the search warrant executed on September 6, 2018. Strangely, it was under seal, rather than just contacting Plaintiff, again without probable cause in order to cover up their trespass and criminal conduct.

16. Defendants, with knowledge of their respective employers or at their direction, violated TCA 39-14-405 and TCA 39-14-406, for the purpose of violating Plaintiff's property

and privacy rights under the Tennessee Constitution Article 1, Section §7 and the 4th Amendment to the US Constitution, by conducting unlawful and unwarranted camera surveillance.

17. Alternatively, Defendants Locke and Hoofman trespassed individually under color of law to install said surveillance camera without probable cause or a warrant on the interior of Plaintiff's property to deprive Plaintiff of his rights under the Tennessee and United States Constitutions.

18. Since finding the surveillance equipment, Plaintiff has experienced a loss of enjoyment of the use of his property.

19. Mr. Hollingsworth has a constant feeling that he is under surveillance and that he is under constant examination on his own property.

WHEREFORE, Plaintiff sues Defendants and each of them, for THREE HUNDRED THOUSAND AND NO/100 (\$300,000.00) DOLLARS, attorney fees, and all the costs of this Cause.

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